

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA

State of Nebraska )  
 ) ss.  
County of Douglas )

14 APR 22 PM 1:07

OFFICE OF THE CLERK

TO THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

PARTIES:

UNITED STATES OF AMERICA, ex rel  
Officials and Officers of this Public Trust,  
with Commercial Liability, Saddled with the  
Burden of Proof, Plaintiffs

) Case no. 8:12CR344

) (Date: 16 April 2014)

- NOTICE -

Thomas J. Thelken +

Joseph F. Bataillon's

travel in and on the Great

## Demographic Data

VS.

RANDALL DAVID DUE, NOT  
REPRESENTING my real man, "pro se" as an attorney, but acting in the flesh and blood in self defense in my own proper person, Defendant.

1

### CERTIFICATION

I, Affiant, Randall David Due, Public Minister, acting in my own proper person certify under my own commercial liability, that the following is true, correct, materially complete and not misleading to the best of my knowledge and belief. RF

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## AFFIDAVIT OF MATERIAL FACTS

Parties: Magistrate Judge Thomas D. Thalken U.S. DISTRICT COURT  
Judge Joseph F. Bataillon CLERK  
OMAHA

Place: U. S. District Court for the District of Nebraska

Event: Conditional Release - Date: 10<sup>th</sup> April 2013

Event: Order setting Case for trial - Date 10<sup>th</sup> April 2014

Surety - The Fidelity / Surety Bonds or equivalent of the cited Judges, their personal assets, - AND - the assets of their Corporate Employers.

Facts of Law -

The Supreme Law of the Land, and the judges in every state shall be bound thereby . . .

- U.S. Constitution, Article 6, paragraph 2 -

All executive and judicial officers . . . shall be bound by Oath or Affirmation to support the Constitution.

- U.S. Constitution, Article 6, paragraph 3 -

The Law : 1<sup>st</sup> Amendment Rights of Freedom of Association  
(Speech and press - Oral & written communication.)

The Violation : On the 10<sup>th</sup> day of April 2013  
Magistrate Judge Thomas D. Hulsen  
in conspiracy - under direction and approval of  
Judge Joseph F. Bataillon  
stepped outside of the U.S. Constitutional Mandates,  
outside of their Authority, acting under Color of Office  
and Color of Law to  
Create a Conditional Release,

Depriving Defendants, Donna Marie Kozak, - AND -  
Ronell David Pee

of their UN-ABLE Rights of Freedom of Association;

Making it a Crime for Defendants to Directly  
Communicate with each other;

in Spite of the additional fact that Donna Marie  
Kozak had granted Ronell David Pee  
"Absolute" Power of Attorney to assist her  
in the protection of her Civil Rights.

This is an additional Violation of the Law:

U.S. Constitution, Article 1, section 10, clause 1  
- No party shall impair the Obligation of Contracts -

The Law: 1<sup>st</sup> Amendment Right to Petition the  
government for a Redress of Grievances.

The Violation: In the aforesaid "Conditional Release"  
Cited judges conspired to Deprive Defendants of  
the Right,

Making it a Crime for Defendants to  
file/record Legal papers, in their Self-defense  
seeking a Redress of Grievances, into the  
Court and/or Public Records.

The Law: 5<sup>th</sup> + 14<sup>th</sup> Amendment Right to not be Deprived of Life, Liberty or Property, without Due Process of Law...

The Violation: The aforesaid violations of Defendants 5<sup>th</sup> Amendment Rights is depriving us of our Life, Liberty, and Property, without Due Process of Law.

The Law: 14<sup>th</sup> Amendment Equal Protection of the Law

The Violation: The aforesaid violations of Defendants Rights deprives us of Equal Protection of the Law.

The Law: 28 USC § 455 - Disqualification of Judge - upon the mere appearance of Bias or Prejudice or any financial interest in the case.

The Violation: The aforesaid violations against Defendants most Basic Fundamental Rights.

The Law: - 18 USC § 2383 -

Rebellion or Insurrection against the U.S. Constitution, the Supreme Authority and Law of the Land.

The Violation: The aforesaid violations of Defendants Rights as secured by the U.S. Constitution.

The Law: 18 USC §§ 241 & 242

Conspiracy against Rights - AND - Deprivation of Rights

The Violation: The aforesaid violations of Defendants' Rights.

- Additional Violations of all of the above -

On approx the 14<sup>th</sup> Day of May 2014, based upon the aforesaid Fraudulent Conditional Release  
Magistrate Judge Thomas D. Thacker  
in conspiracy with and under the approval of  
Judge Joseph F. Bataillon  
issued an arrest warrant to have me  
arrested and thrown into jail for  
merely exercising my 1st Amendment Right  
to Petition the government for a Redress  
of Grievances seeking Remedy/ Relief  
in Self- Defense.

- Conclusion -

I, Randall David Lee, do not consent to be party to this Conspiracy of Fraud of Process in and on the Court.

I do not recognize the aforesaid judges as having any authority.

I stand on the Official Court Record and contend to Reserve all of my Rights.

Where is the Lawful Authority to support the  
aforesaid Civil Rights violations committed by  
Thomas D. Thelen and Joseph F. Bataillon?

Where is the Authority:

To allow the cited Distinguished judges to issue  
any kind of orders in these cases?

To issue an order setting a case for trial, when  
they have so Premeditatedly, Maliciously, with  
Willful Intent, so Flagrantly Disrespected and Dishonored  
the Supreme Law of the Land and Laws thereof?

To Deprive Defendants of their Rights of Life, Liberty,  
or Property, without Due Process of Law?

To proceed with the case when cited judges have  
Conspired to engage the Court in their Fraud of Process  
as is Potently Evident from the aforesaid  
Violations that they have engaged in?

To allow Public Servants - judges - to act  
as they all above the Law?

- Remedy/Relief -

I, Randall David Due, as is my Right of Due Process  
of Law - AND - Equal Protection of the Law,  
demand the Court to immediately Dismiss this  
Case "With Prejudice" for the aforesaid Fraud of Process.

I demand that the Order setting case for Trial  
be stricken from the Office's Court Records  
because of the aforesaid Conspiracy of Fraud of  
Process in and on the Court.

I demand the immediate release of my  
Co-defendant and I from Custody/Detention.

Should any Judicial officer and/or other Public Servant  
believe any point of this Affidavit to be Frivolous,  
False, or Prejudicial;

you must immediately argue/contend to  
show specific "Just Cause", categorically  
point-by-point, to support your belief,  
by Affidavit sworn or affirmed to be true, correct,  
materially complete and not misleading.

Anything less shall be considered to be Deliberately  
Erosionary of Due Process of Law - AND - a  
Default Judgment (Plaintiff's) on your part.

Notice to Agent is Notice to Principal; Notice to Principal is Notice to Agent

Affiant(s) exercise the right to amend this and/or any other document if necessary, in order that the truth be more fully and certainly ascertained and justly determined.

Affiant, Randall David Due, *in the Flesh and Blood in Proper Person*, do not consent to be an accessory party to Fraud (18 USC §§ 2, 3 & 4) and/or violation of my certain un-a-lien-able Rights endowed by my Creator and secured by the Constitution, the Bill of Rights, and by our soldiers who swear an Oath to defend this Nation and its Constitution against all enemies foreign and domestic. Furthermore, I reserve all of my Rights in relationship to any past and or future action concerning this case. Notice is hereby given. Fraud vitiates all Contracts and is grounds for reversal of all Legal Faults.

Due, Randall #3306749, Douglas County Department of Corrections, 710 South 17<sup>th</sup> Street, Omaha, Nebraska, 68102

Respectfully,

By:

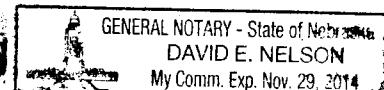
Randall David Due

Public Minister/All rights reserved

Affirmed and subscribed before me this day:

16 April 2014

I.D. # 3306749



Seal

David E. Nelson  
Signature of Notary

David E. Nelson  
Print name

Notary Public, State of

NCb/

Sent: 16 April 2014 Certificate of Service  
by U.S. Mail Postage Prepaid to: - the Court -  
C/O Clerk of Court, Roman L. Hruska U.S. Courthouse  
111 S. 18<sup>th</sup> Plaza, Suite 1152  
Omaha, NE. 68102

CC: DOJ Criminal Civil Rights Division  
87th Circuit Court of Appeals  
The People

8 of 8

DUE RANDALL #3306749  
Douglas County Dept of Corrections  
210 South 17th Street  
Omaha, NE 68102

Hasler  
04/19/2014  
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ZIP 68102  
011D10627412

Clerk of Court

Ronald, Shufa U.S. Courthouse  
11 S. 18th Plaza, Suite 4152  
Omaha, NE 68102

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**CLERK**  
U.S. DISTRICT COURT  
Omaha